

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

GABRIEL PORRAS SERRANO

CASE NO. 14-70104-HDH-13

AKA1:  
DBA1:  
SS#1: xxx-xx- 6033

AKA2:  
DBA2:  
SS#2:

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**REPORT OF 341 MEETING**

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**I. 341 MEETING REPORT:**

A. Orig. Date: 5/5/2014 Orig. Time: 11:00 AM Reset Date: Reset Time:  
B. Meeting Results: Adjourned  
C. Debtor(s): Debtor 1 Appeared  
D. Attorney for Debtor(s): Appeared  
E. Creditor Appearance: None  
F. Amount Paid to the Trustee as of 5/5/2014 \$790.00 First Payment Due Date: 5/3/2014  
G. File Trustee's Motion to Dismiss because  
H. B22C Information: B22C Form is: Incomplete  
Budgeted Income: \$4,305.86 Expense: \$3,485.86 Surplus: \$820.00  
Plan Payment: \$820.00 Monthly Plan Term(Months): 60  
I. Value of Non-Exempt Property: \$0.00 Proposed Amount to Unsecured Creditors: \$0.00  
Objection to Exemption of:  
Repeat Filing (If case dismissed, it should be with prejudice) Previous Case Numbers:  
Object to Invoke Stay Pleading  
Case Converted from Chapter 7, Bar Date Set: 8/4/2014 Date Converted from Chapter 7:  
J. Required Information: Good  
K. Business Information:  
L. Object to Confirmation: Yes  
22c fails to include correct income figures  
Sch I fails to list accurate income figures  
Trustee requests \$175 step payment to begin May 2015  
Sch J lists excessive expenses  
Failure to include all disposable income  
Feasibility until all claims are properly treated  
M. Financial Management Class: Debtor 1 Appeared  
N. Eligibility:  
Certificate of Credit Counseling Filed: Debtor 1 Only  
Credit Counseling Provider Approved: Yes  
Debt Limits Exceeded (Secured-\$1,081,400; Unsecured-\$360,475): No  
O. Domestic Support Obligation: \$0.00 Current: Arrears: \$0.00  
Affidavit and Disclosure of Domestic Support Obligations Received: Yes

P. Remarks: Questions  
-22c fails to include correct income figures  
-Since counted as household members all income must be included not \$300 contribution  
-2013 tax return states single so what is household size & relation ship?  
2 years or more she has lived with him. 5 in HH full time.  
-Sch I Mr's income should be \$6,046 not \$5,721 & deduction \$1,821 not \$1715  
-\$220 difference based on 3/28/14 YTD/7x26/12 -- 22c does prove \$5,721 gross  
He worked more OT than usual causing OT to be higher than normal.  
-Sch I fails to list accurate income figures

Walter O'Cheskey

Chapter 13 Trustee

6308 Iola Avenue Lubbock, TX 79424

(806) 748-1980 Phone (806) 748-1956 Fax

-Roommate contribution of \$300, but since counted as household members all income must be included.

-Trustee requests \$175 step payment to begin May 2015

-\$89 bi-weekly or \$192.83/mo for Ipads completes in 12 mos per Sch G.

Yes, correct.

-Sch J lists excessive expenses

-Nat'l Std 1, 1, & 1 \$2,424 -- Adj Nat'l Std \$2,424 -- Adjusted by \$0

-Sch J \$3,485 & debt in plan \$673 totals \$4,158 or \$1,734 above Adj Nat'l Std

-\$159/mo maint, \$269 cell/internet/cable, \$950 food, \$244 clothing, \$70 personal care

Yes on average home maint

Bundle is \$269

Normal for 5 on the others

-\$550 x-port, \$290 insurance, \$75 auto maint

accident on policy mkes it higher.

60 roundtrip for work per day or 360/wk x 52 weeks/12months or 18,720 miles /year

\$18,720/25miles a gallon is 749 gallonsx\$3.50=\$2,621/12

\$218/month not \$550

-Sch J net income \$820, but plan payment only \$790

Just from the WW Directive. Plan has \$820

-Failure to include all disposable income

-Feasibility until all claims are properly treated

-Rancher's Investment claim filed \$13,000 higher than scheduled & more than valued

-Feasibility to pay sec, prio,& admin requires \$59,000, but still secured claims not filed.

Dated: 5/5/2014

/s/ Walter O'Cheskey

Standing Bankruptcy Trustee

By: Brent Hagan

Case Number:	14-70104
Debtor:	Serrano
Attorney:	White
Presiding Officer:	Brent Hagan
Calculation Date:	5/5/2014 9:22

Domestic Support <b>Input name from Plan</b>	Arrears Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Secured Creditor/Collateral <b>Input name from Plan</b>	Value/Claim Amount Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
Rancher's Investments	\$30,080.00	6.00%	60	\$581.53	\$34,891.84
YCAD - Land	\$2,108.01	12.00%	48	\$55.51	\$2,664.58
YCAD - 730 Pecan	\$1,117.12	12.00%	24	\$52.59	\$1,262.08
Matt Motors	\$9,000.00	5.50%	60	\$171.91	\$10,314.63
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Priority Creditor <b>Input name from Plan</b>	Value/Claim Amount Enter amount from Plan		Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00

Attorney Fees <b>Paid Through the Plan</b>	\$3,176.00				\$3,176.00
Noticing Fees	\$87.12				\$87.12
Clerk Filing Fees	\$0.00				\$0.00

Hardacre Minimum	\$0.00	<div style="display: flex; align-items: center;"> <div style="flex: 1; border-left: 1px solid black; padding-left: 10px;"> <div style="display: flex; justify-content: space-between;"> <span>&lt;-----</span> <span>Greater Of -----&gt;</span> </div> </div> </div>	
Chapter 7 Minimum (Gross)	\$0.00		
Less Trustee Fees	\$0.00		
Less Attorney Fees	\$3,176.00		
Less Noticing Fees	\$87.12		\$0.00
Less Clerk Filing Fees	\$0.00		
Less Scheduled Priority Claims	\$0.00		
Less Other (Explain Below)	\$0.00		
Chapter 7 Minimum (Net)	\$0.00	<-----	

Total Scheduled General Unsecured Claims (Limits Greater of Hardacre or Chapter 7 Minimum)	\$25,989.00
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Calculated Base (Admin, Secured, Priority, DSO, Lower of Minimum or Sched U/S & Trustee Fee)	\$58,208.37
Debtor Plan Base (Monthly Payment X Term)	\$49,200.00
Surplus (Debtor Plan Base - Calculated Base)	-\$9,008.37

Comments: